



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/018,461	Thodoros Topaloglou	GLC0007-US

INTERNATIONAL APPLICATION NO.
-------------------------------

PCT/IB00/00863

I.A. FILING DATE	PRIORITY DATE
06/28/2000	06/29/1999

23370  
 JOHN S. PRATT, ESQ  
 KILPATRICK STOCKTON, LLP  
 1100 PEACHTREE STREET  
 SUITE 2800  
 ATLANTA, GA 30309

CONFIRMATION NO. 1780

## 371 FORMALITIES LETTER



\*OC00000009792528\*

Date Mailed: 04/08/2003

## NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 12/19/2001
- Copy of the International Search Report filed on 12/19/2001
- Information Disclosure Statements filed on 03/17/2003
- Oath or Declaration filed on 12/16/2002
- Small Entity Statement filed on 12/19/2001
- Request for Immediate Examination filed on 12/19/2001
- U.S. Basic National Fees filed on 12/19/2001
- Assignee Statement filed on 07/29/2002
- Priority Documents filed on 12/16/2002
- Power of Attorney filed on 12/16/2002

Applicant's response filed 03/17/2003 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 03/08/2002 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - does not identify the citizenship of each inventor.

**Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 305-3734

PART 2 - OFFICE COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/018,461	PCT/IB00/00863	GLC0007-US

FORM PCT/DO/EO/916 (371 Formalities Notice)

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
 )  
 THODOROS TOPALOGLOU, et al. )  
 ) Art Unit: Not yet assigned  
 Serial No. 10/018,461 )  
 ) Examiner: Not yet assigned  
 Filed: December 19, 2001 )  
 )  
 For: BIOLOGICAL DATA PROCESSING )

RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

Assistant Commissioner for Patents  
 Washington, DC 20231

Sir:

The undersigned hereby responds to the Notification of Defective Response mailed November 14, 2002, in the referenced application. The notice stated that the Oath or Declaration submitted identifies an inventor not listed on the international application.

The undersigned is simultaneously submitting the following documents: Petition For Correction of Inventorship Under 37 C.F.R. §1.48(a); Declaration of Gene Logic Inc. in Support of Petition to Correct Inventorship Under 37 C.F.R. §1.48(a); and Declaration of Anthony Kosky in Support of Petition to Correct Inventorship Under 37 C.F.R. §1.48(a).

The present application was filed on December 19, 2001 and named Thodoros Topaloglou and Anthony Kosky as inventors. However, upon review of the parent International Application, it was brought to the attention of the undersigned that the application was filed identifying Thodoros Topaloglou as the sole inventor. Once petition to amend inventorship is granted, the inventors in the application will correctly be Thodoros

Topaloglou and Anthony Kosky .

12/18/2002 SHAJARRO 00000063 10018461

01 FC:1617

Adjustment date: 01/22/2004 CBURT1

12/18/2002 SHAJARRO 00000063 10018461

01 FC:1617

-130.00 OP

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on December 9, 2002.

*Eleanor M. Musick*

Eleanor M. Musick - Reg. No. 35,623

Repln. Ref: 01/22/2004 CBURT1 0015470000

Page: 501458 Name/Number: 10018461

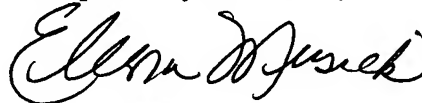
The error of failing to name Anthony Kosky as an inventor was made without any deceptive intention on the part of the inventors, the assignee or their representative. The named inventors Thodoros Topaloglou and Anthony Kosky executed an Assignment to Gene Logic Inc. The assignee of the invention, Gene Logic Inc., consents to the correction of the named inventors.

Applicant submits that a correct Declaration and Power of Attorney signed by both inventors was submitted on July 23, 2002; therefore, no new Declaration and Power of Attorney is necessary.

The foregoing is submitted as a complete response to the Notification identified above.

If there are any issues that can be addressed via a telephone conference, please contact the undersigned at 404-541-6681. A copy of the Notification of Defective Response is also enclosed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Eleanor M. Musick", written in a cursive style.

Eleanor M. Musick  
Reg. No. 35,623

KILPATRICK STOCKTON LLP  
1100 Peachtree Street  
Suite 2800  
Atlanta, Georgia 30309-4530  
(404) 815-6500  
Our Docket: 43413-269370 (4001US)



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box 901  
 United States Patent and Trademark Office  
 Washington, D.C. 20503  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/018,461	Thodoros Topaloglou	GLC0007-US

23370  
 JOHN S. PRATT, ESQ  
 KILPATRICK STOCKTON, LLP  
 1100 PEACHTREE STREET  
 SUITE 2800  
 ATLANTA, GA 30309

INTERNATIONAL APPLICATION NO.	
PCT/IB00/00863	
I.A. FILING DATE	PRIORITY DATE
06/28/2000	06/29/1999

CONFIRMATION NO. 1780  
 371 FORMALITIES LETTER



\*OC00000009098878\*

Date Mailed: 11/14/2002

### NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee
- Indication of Small Entity Status
- Priority Document
- Assignee Statement
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Request for Immediate Examination
- Small Entity Statement

Applicant's response filed 07/29/2002 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 03/08/2002 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - The declaration identifies an inventor not listed on the International Application.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

DOCKETED FOR 12/14/02  
 ENTERED COMPUTER ON 11/20/02 269370

A copy of this notice **MUST** be returned with the response.

CHARITTA A BURT

Telephone: (703) 305-3734

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/018,461	PCT/IB00/00863	GLC0007-US

FORM PCT/DO/EO/916 (371 Formalities Notice)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
<b>THODOROS TOPALOGLOU, et al.</b>	)	
	)	Art Unit: Not yet assigned
Serial No. 10/018,461	)	
	)	Examiner: Not yet assigned
Filed: December 19, 2001	)	
	)	
For: <b>BIOLOGICAL DATA PROCESSING</b>	)	

**PETITION FOR CORRECTION OF INVENTORSHIP**  
**UNDER 37 C.F.R. § 1.48(a)**

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Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

The undersigned attorney of record in the patent application identified above hereby petitions to correct an error of inventorship in the application. The application was filed on December 19, 2001 and named Thodoros Topaloglou and Anthony Kosky as inventors. However, upon review of the parent International Application, it was brought to the attention of the undersigned that the application was filed as Thodoros Topaloglou as the sole inventor. Once this petition is granted, the inventors in the application will be Thodoros Topaloglou and Anthony Kosky.

The error was without any deceptive intention on the part of the person who, through error, was not named as an inventor. The named inventors Thodoros Topaloglou and Anthony Kosky executed an Assignment to Gene Logic Inc. The assignee of the invention, Gene Logic Inc., consents to the correction of the named inventors. In support of this petition, the following documents are attached:

- 1) Statement from Anthony Kosky that the error in inventorship

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on December 9, 2002.



Eleanor M. Musick - Reg. No. 35,623

occurred without deceptive intention

- 2) Written consent of assignee to correction of named inventors
- 3) Petition fee.

Applicant submits that a correct Declaration and Power of Attorney signed by both inventors was submitted on July 23, 2002; therefore, no new Declaration and Power of Attorney is necessary.

The Commissioner is authorized to charge any deficiencies or credit any overpayment to Deposit Account No. 11-0855.

Respectfully submitted,

  
Eleanor M. Musick  
Reg. No. 35,623

KILPATRICK STOCKTON LLP  
1100 Peachtree Street  
Suite 2800  
Atlanta, Georgia 30309-4530  
(404) 815-6500  
Our Docket: 43413-269370 (4001US)



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
**THODOROS TOPALOGLOU, et al.** )  
) Art Unit: Not yet assigned  
Serial No. 10/018,461 )  
) Examiner: Not yet assigned  
Filed: December 19, 2001 )  
)  
For: **BIOLOGICAL DATA PROCESSING** )

**DECLARATION OF GENE LOGIC INC. IN SUPPORT OF  
PETITION TO CORRECT INVENTORSHIP UNDER 37 C.F.R. § 1.48(a)**

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Assistant Commissioner for Patents  
Washington, DC 20231  
Sir:

The undersigned declares that he is properly authorized to execute this declaration on behalf of the assignee, Gene Logic Inc.

Pursuant to an Assignment which is recorded in the U.S. Patent and Trademark Office at Reel 013255, Frame 0600, Gene Logic is the assignee of the application. The above-identified application was assigned to Gene Logic by the correct inventors, Thodoros Topaloglou and Anthony Kosky. A copy of the Assignment is attached hereto as Exhibit A. Gene Logic consents to the correction of named inventors so that Thodoros Topaloglou and Anthony Kosky are named as inventors in the application.

I further declare that all statements made herein of my own knowledge are true, and that all statements on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment or both under 18 U.S.C. § 1001 and may jeopardize the validity of the application or any patent issuing thereon.

Date: December 6, 2002

  
\_\_\_\_\_  
GEOFFREY M. KARNY  
Vice President, Intellectual Property  
Gene Logic Inc.

269370 (4001US)



NOVEMBER 21, 2002

PTAS

Under Secretary of Commerce For Intellectual Property and  
Director of the United States Patent and Trademark Office  
Washington, DC 20231  
www.uspto.gov

KILPATRICK STOCKTON LLP  
ELEANOR M. MUSICK, ESQ.  
1100 PEACHTREE STREET  
SUITE 2800  
ATLANTA, GA 30309-4530



\*102283883A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 07/29/2002

REEL/FRAME: 013255/0600  
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

TOPALOGLOU, THODOROS

DOC DATE: 05/20/2002

ASSIGNOR:

KOSKY, ANTHONY

DOC DATE: 06/24/2002

ASSIGNEE:

GENE LOGIC, INC.  
708 QUINCE ORCHARD ROAD  
GAITHERSBURG, MARYLAND 20878

SERIAL NUMBER: 10018461  
PATENT NUMBER:

FILING DATE:  
ISSUE DATE:

DOROTHY RILEY, PARALEGAL  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

11-20-2002



VER SHEET

102283883

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): <b>Thodoros Topaloglou and Anthony Kosky</b>  Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <b>WRD 7/29/02</b>	2. Name and Address of receiving party(ies):  Name: <b>GENE LOGIC, INC.</b>  Address: <b>708 Quince Orchard Road</b>  City: <b>Gaithersburg</b>  State: <b>Maryland</b>  Zip: <b>20878</b>  Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____  Execution date(s) of each conveying party: <b>Thodoros Topaloglou: May 20, 2002</b> <b>Anthony Kosky: June 24, 2002</b>	

4(a). Patent Application No.(s): **10/018,461**

Patent No.(s):

If this document is being filed together with a new application, the execution date of the application is:

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning this document should be mailed:  Name: <b>Eleanor M. Musick, Esq.</b> Address: <b>KILPATRICK STOCKTON LLP</b> <b>1100 Peachtree Street</b> <b>Suite 2800</b> <b>Atlanta, Georgia 30309-4530</b>	6. Total number of applications and patents involved: <b>1</b>  7. Total fee (37 C.F.R. §3.41) enclosed: <b>\$40</b>
--	--

**DO NOT USE THIS SPACE**

## 8. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct, and any attached copy is a true copy of the original document.

I certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Assignments, Commissioner of Patents & Trademarks, Washington, DC 20231, on the date given below.

Eleanor M. Musick  
Name of Person Signing

  
Signature

Date: 23 July 2002

Attorney Docket No. 4001US  
(43413-269370)

Total number of pages including  
cover sheet: 5

Mail documents to be recorded with required cover sheet information to: Commissioner of Patents & Trademarks

07/31/2002 LLANDGRA 00000065 10018461

05 FC:581

40.00 0P

Box Assignments  
Washington, DC 20231

## ASSIGNMENT

WHEREAS, Thodoros TOPALOGLOU and Anthony KOSKY (hereinafter referred to as "ASSIGNOR") have invented certain new and useful improvements in an invention entitled BIOLOGICAL DATA PROCESSING

- ☒ for which a utility application for a United States Patent was filed with the United States Patent and Trademark Office on December 19, 2001, Serial Number 10/018,461.
- ☐ for which an application for a United States Patent is being submitted to the United States Patent and Trademark Office herewith; and

WHEREAS, Gene Logic, Inc., a corporation doing business at 708 Quince Orchard Road, Gaithersburg, Maryland 20878 (hereinafter referred to as the "ASSIGNEE"), is desirous of acquiring the entire right, title and interest in and to said invention, and in and to said application and any Letters Patent that may issue thereon;

NOW, THEREFORE, for and in consideration of One Dollar (\$1.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR hereby sells and transfers to said ASSIGNEE, and to ASSIGNEE'S successors and assigns, ASSIGNOR'S entire right, title and interest in and to said invention in the United States and its territorial possessions and in all foreign countries and to all Letters Patent or similar legal protection in the United States and its territorial possessions and in any and all foreign countries to be obtained for said invention by said application or any patent application claiming priority to the application, or any continuation, division, continuation-in-part, reexamination, renewal, substitute, extension or reissue thereof or any legal equivalent thereof in a foreign country for the full term of terms for which the same may be granted; and authorize and request the Commissioner of Patents of the United States and any official of any foreign country whose duty it is to issue patents or legal equivalents thereto, to issue same for this invention to ASSIGNEE, its lawful successors and assigns.


ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and

said Letters Patent and legal equivalents in foreign countries as may be known and accessible to ASSIGNOR and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof in any foreign country which may be necessary or desirable to carry out the purposes thereof. This document shall be governed pursuant to the laws of the District of Columbia, United States of America.

IN WITNESS WHEREOF, I/We have hereunto set hand and signed on the date indicated below:

SIGNATURE(S)

The signature(s) must correspond with the name(s) of the inventor(s) above.

	<u>INVENTOR(S)</u>	<u>DATE SIGNED</u>
1)	 Thodoros TOPALOGLOU	<u>May 20, 2002</u>
2)	_____ Anthony KOSKY	_____

## ASSIGNMENT

WHEREAS, Thodoros TOPALOGLOU and Anthony KOSKY (hereinafter referred to as "ASSIGNOR") have invented certain new and useful improvements in an invention entitled BIOLOGICAL DATA PROCESSING

- ☒ for which a utility application for a United States Patent was filed with the United States Patent and Trademark Office on December 19, 2001, Serial Number 10/018,461 .
- ☐ for which an application for a United States Patent is being submitted to the United States Patent and Trademark Office herewith; and

WHEREAS, Gene Logic, Inc., a corporation doing business at 708 Quince Orchard Road, Gaithersburg, Maryland 20878 (hereinafter referred to as the "ASSIGNEE"), is desirous of acquiring the entire right, title and interest in and to said invention, and in and to said application and any Letters Patent that may issue thereon;

NOW, THEREFORE, for and in consideration of One Dollar (\$1.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR hereby sells and transfers to said ASSIGNEE, and to ASSIGNEE'S successors and assigns, ASSIGNOR'S entire right, title and interest in and to said invention in the United States and its territorial possessions and in all foreign countries and to all Letters Patent or similar legal protection in the United States and its territorial possessions and in any and all foreign countries to be obtained for said invention by said application or any patent application claiming priority to the application, or any continuation, division, continuation-in-part, reexamination, renewal, substitute, extension or reissue thereof or any legal equivalent thereof in a foreign country for the full term of terms for which the same may be granted; and authorize and request the Commissioner of Patents of the United States and any official of any foreign country whose duty it is to issue patents or legal equivalents thereto, to issue same for this invention to ASSIGNEE, its lawful successors and assigns.

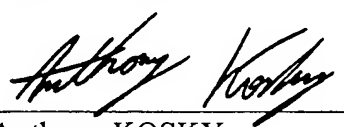
ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and

said Letters Patent and legal equivalents in foreign countries as may be known and accessible to ASSIGNOR and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof in any foreign country which may be necessary or desirable to carry out the purposes thereof. This document shall be governed pursuant to the laws of the District of Columbia, United States of America.

IN WITNESS WHEREOF, I/We have hereunto set hand and signed on the date indicated below:

SIGNATURE(S)

The signature(s) must correspond with the name(s) of the inventor(s) above.

	<u>INVENTOR(S)</u>	<u>DATE SIGNED</u>
1)	<u>Thodoros TOPALOGLOU</u>	<u></u>
2)	<u> Anthony KOSKY</u>	<u>24 June 2002</u>

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
 )  
THODOROS TOPALOGLOU, et al. )  
 ) Art Unit: Not yet assigned  
Serial No. 10/018,461 )  
 ) Examiner: Not yet assigned  
Filed: December 19, 2001 )  
 )  
For: BIOLOGICAL DATA PROCESSING )

DECLARATION OF ANTHONY KOSKY IN SUPPORT OF  
PETITION TO CORRECT INVENTORSHIP UNDER 37 C.F.R. § 1.48(a)

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Assistant Commissioner for Patents  
Washington, DC 20231


Sir:

I, Anthony Kosky, hereby declare that I am a co-inventor of the subject matter claimed in the above-identified patent application. It was an error that I was not named as an inventor in International Application No. IB00/00863 as originally filed and the error in inventorship occurred without deceptive intention on my part. As stated in the Declaration which I executed June 29, 2002, I am a joint inventor of the claimed subject matter.

I further declare that all statements made herein of my own knowledge are true, and that all statements on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment or both under 18 U.S.C. § 1001 and may jeopardize the validity of the application or any patent issuing thereon.

3rd December 2002

Date:

  
\_\_\_\_\_  
Anthony Kosky

269370 (4001US)